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HOUSE BILL 933

43RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1997

INTRODUCED BY

GARY K. KING

AN ACT

RELATING TO PERSONS WITH DISABILITIES; CREATING A PLACARD ABUSE PREVENTION PROGRAM; AUTHORIZING VOLUNTEER ENFORCEMENT PROGRAMS; CHANGING CERTAIN PROVISIONS RELATED TO DESIGNATED DISABLED PARKING; INCREASING THE PENALTY FOR PARKING IN A DESIGNATED DISABLED PARKING SPACE ILLEGALLY; AMENDING AND ENACTING SECTIONS OF THE NMSA 1978; MAKING AN APPROPRIATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. [NEW MATERIAL] SHORT TITLE. -- Sections 1 through 4 of this act may be cited as the "Placard Act".

Section 2. [NEW MATERIAL] DEFINITION. -- As used in the Placard Act, "parking placard" means a display device issued by the taxation and revenue department that indicates that the driver or passenger of a motor vehicle has a severe mobility impairment that allows him to park in a designated disabled

Underscored material = new
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1 parking space.

2 Section 3. [NEW MATERIAL] PROGRAM CREATED. -- The "placard
3 abuse prevention program" is created in the governor's committee
4 on concerns of the handicapped. The program shall:

5 A. monitor the system of eligibility and use of
6 parking placards to identify barriers to the goal of providing
7 safe and close parking for persons with severe mobility
8 impairments;

9 B. provide training and public awareness to address
10 the barriers to safe and close parking for persons with severe
11 mobility impairments;

12 C. pursue revocation of parking placards held by
13 persons who appear to be ineligible or permit misuse of their
14 parking placards;

15 D. contract with advocates for the rights of persons
16 with disabilities to conduct the activities described in
17 Subsections A through C of this section and to make
18 recommendations for improvements in governing statutes or
19 operating policies of entities involved with the parking placard
20 issuance and parking enforcement systems; and

21 E. provide technical assistance and training to law
22 enforcement agencies regarding implementation of a volunteer
23 enforcement program.

24 Section 4. [NEW MATERIAL] VOLUNTEER ENFORCEMENT PROGRAMS
25 AUTHORIZED. --

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1 A. A law enforcement agency authorized to enforce
2 parking statutes or ordinances may appoint placard abuse
3 volunteers to issue citations for violations of Sections
4 66-3-16.1 and 66-7-352.5 NMSA 1978 and any local parking
5 ordinances that make parking in a designated disabled parking
6 space illegal. Volunteers appointed pursuant to this subsection
7 shall be at least twenty-one years of age. The law enforcement
8 agency appointing the placard abuse prevention volunteers may
9 establish any other qualifications the agency deems necessary.

10 B. A law enforcement agency appointing placard abuse
11 volunteers pursuant to this section shall provide training to
12 the placard abuse prevention volunteers before authorizing them
13 to issue citations.

14 C. A citation issued by a placard abuse prevention
15 volunteer pursuant to this section shall have the same effect as
16 a citation issued by a police officer for the same offense.

17 Section 5. Section 3-51-46 NMSA 1978 (being Laws 1973,
18 Chapter 22, Section 3) is amended to read:

19 "3-51-46. PASSENGER MOTOR VEHICLE OF DISABLED PERSON--
20 PARKING PRIVILEGE. --Passenger motor vehicles owned by disabled
21 persons and carrying special registration plates or passenger
22 motor vehicles carrying disabled persons with parking placards
23 issued pursuant to Section [~~64-3-12.3 NMSA 1953~~] 66-3-16 NMSA
24 1978 shall be permitted to park for unlimited periods of time in
25 parking zones restricted as to length of time parking is

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1 normally permitted and are exempt from payment of any parking
2 meter or parking authorization fee of the state or its political
3 subdivisions. The provisions of this section shall prevail over
4 any other law, regulation or local ordinance but do not apply to
5 zones where stopping, standing or parking is prohibited, zones
6 reserved for special types of vehicles, zones where parking is
7 prohibited during certain hours of the day in order to
8 facilitate traffic during those hours when parking is prohibited
9 and zones subject to similar regulation because parking presents
10 a traffic hazard."

11 Section 6. Section 66-1-4.1 NMSA 1978 (being Laws 1990,
12 Chapter 120, Section 2) is amended to read:

13 "66-1-4.1. DEFINITIONS. --As used in the Motor Vehicle
14 Code:

15 A. "abandoned vehicle" means a vehicle or motor
16 vehicle that has been determined by a New Mexico law enforcement
17 agency:

18 (1) to have been left unattended on either
19 public or private property for at least thirty days;

20 (2) not to have been reported stolen;

21 (3) not to have been claimed by any person
22 asserting ownership; and

23 (4) not to have been shown by normal record
24 checking procedures to be owned by any person;

25 B. "access aisle" means an accessible pedestrian

Underscored material = new
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1 space of at least sixty inches in width that allows side access
2 the length of its adjacent designated disabled parking space and
3 marked with blue striping; provided that van-accessible access
4 aisles shall be at least ninety-six inches in width;

5 [B-] C. "additional place of business", for dealers
6 and wreckers of vehicles, means locations in addition to an
7 established place of business as defined in Section 66-1-4.5
8 NMSA 1978 and meeting all the requirements of an established
9 place of business, except Paragraph (5) of Subsection B of
10 Section 66-1-4.5 NMSA 1978, but "additional place of business"
11 does not mean a location used solely for storage and that is not
12 used for wrecking, dismantling, sale or resale of vehicles;

13 [E-] D. "alcoholic beverages" means any and all
14 distilled or rectified spirits, potable alcohol, brandy,
15 whiskey, rum, gin, aromatic bitters or any similar alcoholic
16 beverage, including all blended or fermented beverages,
17 dilutions or mixtures of one or more of the foregoing containing
18 more than one-half of one percent alcohol but excluding
19 medicinal bitters; and

20 [D-] E. "authorized emergency vehicle" means any
21 fire department vehicle, police vehicle, ambulance and any
22 emergency vehicles of municipal departments or public utilities
23 that are designated or authorized as emergency vehicles by the
24 director of the New Mexico state police division of the
25 department of public safety or local authorities. "

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[bracketed material] = delete

1 Section 7. Section 66-1-4.4 NMSA 1978 (being Laws 1990,
2 Chapter 120, Section 5, as amended) is amended to read:

3 "66-1-4.4. DEFINITIONS. --As used in the Motor Vehicle
4 Code:

5 A. "day" means calendar day, unless otherwise
6 provided in the Motor Vehicle Code;

7 B. "dealer", except as herein specifically excluded,
8 means any person who sells or solicits or advertises the sale of
9 new or used motor vehicles, manufactured homes or trailers
10 subject to registration in this state; "dealer" does not
11 include:

12 (1) receivers, trustees, administrators,
13 executors, guardians or other persons appointed by or acting
14 under judgment, decree or order of any court;

15 (2) public officers while performing their
16 duties as such officers;

17 (3) persons making casual sales of their own
18 vehicles;

19 (4) finance companies, banks and other lending
20 institutions making sales of repossessed vehicles; or

21 (5) licensed brokers under the Manufactured
22 Housing Act who, for a fee, commission or other valuable
23 consideration, engage in brokerage activities related to the
24 sale, exchange or lease purchase of pre-owned manufactured homes
25 on a site installed for a consumer;

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1 C. "declared gross weight" means the maximum gross
2 vehicle weight or combination gross vehicle weight at which a
3 vehicle or combination will be operated during the registration
4 period, as declared by the registrant for registration and fee
5 purposes; the vehicle or combination shall have only one
6 declared gross weight for all operating considerations;

7 D. "department" means the taxation and revenue
8 department, the secretary of taxation and revenue or any
9 employee of the department exercising authority lawfully
10 delegated to that employee by the secretary;

11 E. "designated disabled parking space" means any
12 space marked and reserved for the parking of a passenger vehicle
13 that carries registration plates or a placard indicating
14 disability in accordance with Section 66-3-16 NMSA 1978; such a
15 place shall be designated by a conspicuously posted sign bearing
16 the international disabled symbol of a wheelchair ~~[or]~~ and by a
17 clearly visible depiction of this symbol painted on the pavement
18 of the space, and an access aisle adjacent to the space;
19 provided that two designated disabled parking spaces may share a
20 common access aisle;

21 F. "director" means the secretary;

22 G. "disqualification" means a prohibition against
23 driving a commercial motor vehicle;

24 H. "distinguishing number" means the number assigned
25 by the department to a vehicle whose identifying number has been

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1 destroyed or obliterated or the number assigned by the
2 department to a vehicle that has never had an identifying
3 number;

4 I. "distributor" means any person who distributes or
5 sells new or used motor vehicles to dealers and who is not a
6 manufacturer;

7 J. "division", without further specification,
8 "division of motor vehicles" or "motor vehicle division" means
9 the department;

10 K. "driver" means every person who drives or is in
11 actual physical control of a motor vehicle, including a
12 motorcycle, upon a highway, who is exercising control over or
13 steering a vehicle being towed by a motor vehicle or who
14 operates or is in actual physical control of an off-highway
15 motor vehicle;

16 L. "driver's license" means a license or a class of
17 license issued by a state or other jurisdiction to an individual
18 that authorizes the individual to drive a motor vehicle; and

19 M. "driveaway-towaway operation" means any operation
20 in which any motor vehicle, new or used, is the item being
21 transported when one set or more of wheels of any such motor
22 vehicle is on the roadway during the course of transportation,
23 whether or not the motor vehicle furnishes the motive power. "

24 Section 8. Section 66-1-4.14 NMSA 1978 (being Laws 1990,
25 Chapter 120, Section 15, as amended) is amended to read:

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1 "66-1-4. 14. DEFINITIONS. -- As used in the Motor Vehicle
2 Code:

3 A. "park" or "parking" means the standing of a
4 vehicle, whether occupied or not, other than temporarily for the
5 purpose of and while actually engaged in loading and unloading;

6 B. "parking lot" means a parking area [~~containing~~
7 ~~fifteen or more parking spaces~~] provided for the [free] use of
8 patrons of any office of state or local government or of any
9 public accommodation, retail or commercial establishment;

10 C. "parts car" means a motor vehicle generally in
11 nonoperable condition that is owned by a collector to furnish
12 parts that are usually nonobtainable from normal sources, thus
13 enabling a collector to preserve, restore and maintain a motor
14 vehicle of historic or special interest;

15 D. "pedestrian" means any natural person on foot;

16 E. "person" means every natural person, firm,
17 copartnership, association, corporation or other legal entity;

18 F. "personal information" means information that
19 identifies an individual, including an individual's photograph,
20 social security number, driver identification number, name,
21 address other than zip code, telephone number and medical or
22 disability information, but "personal information" does not
23 include information on vehicles, vehicle ownership, vehicular
24 accidents, driving violations or driver status;

25 G. "pneumatic tire" means every tire in which

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1 compressed air is designed to support the load;

2 H. "pole trailer" means any vehicle without motive
3 power, designed to be drawn by another vehicle and attached to
4 the towing vehicle by means of a reach or pole or by being
5 boomed or otherwise secured to the towing vehicle and ordinarily
6 used for transporting long or irregularly shaped loads such as
7 poles, structures, pipes and structural members capable,
8 generally, of sustaining themselves as beams between the
9 supporting connections;

10 I. "police or peace officer" means every officer
11 authorized to direct or regulate traffic or to make arrests for
12 violations of the Motor Vehicle Code;

13 J. "private road or driveway" means every way or
14 place in private ownership used for vehicular travel by the
15 owner and those having express or implied permission from the
16 owner, but not other persons; and

17 K. "property owner" means the owner of a piece of
18 land or the agent of that property owner. "

19 Section 9. Section 66-3-16 NMSA 1978 (being Laws 1978,
20 Chapter 35, Section 36, as amended) is amended to read:

21 "66-3-16. SPECIAL REGISTRATION PLATES--DISABLED
22 PERSONS-- [~~DISPLAY DEVICE~~] PARKING PLACARDS. --

23 A. The division shall issue distinctive registration
24 plates to any disabled person who so requests and who proves
25 satisfactorily to the division that he has suffered the loss, or

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1 the complete and total loss of use of, one or both legs at or
2 above the ankle or of one or both arms at or above the wrist for
3 use on motor vehicles owned by the person. No fee in addition
4 to the regular registration fee, if any, applicable to the motor
5 vehicle shall be collected for issuance of special registration
6 plates pursuant to this section.

7 B. No person shall falsely represent himself to be
8 disabled so as to be eligible to be issued special registration
9 plates or [~~display devices~~] a parking placard pursuant to this
10 section when he is in fact not disabled.

11 C. Upon notice and opportunity to be heard,
12 scheduled within forty-five days of a complaint filed by the
13 governor's committee on concerns of the handicapped or another
14 concerned person, the division may revoke and demand return of
15 any placard when it is found that:

16 (1) it was issued in error or with false
17 information;

18 (2) the person receiving the placard is no
19 longer eligible; or

20 (3) the placard is being used by ineligible
21 persons.

22 [~~C.~~] D. Upon written application to the division
23 accompanied by a medical statement by a licensed physician
24 attesting to the disability, a resident of the state who has a
25 disability that limits or impairs the ability to walk, as

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1 provided in Subsection ~~[G]~~ H of this section, may apply for and
2 be granted the issuance of a placard for display upon a motor
3 vehicle registered to him or motor vehicle owned by another
4 person who is transporting him. The director may charge a
5 reasonable fee to cover the cost of the placard and of its
6 issuance. The fee shall be retained by the division and shall
7 be appropriated to the division for expenditures incurred in the
8 implementation of the placard replacement program. The
9 application shall provide for a certification of permanence of
10 the mobility impairment that, if indicated by the signing
11 physician, shall preclude the necessity of subsequent medical
12 certifications on renewals. The application for a parking
13 placard shall be deemed to be a waiver of the doctor-patient
14 privilege of confidentiality to the minimum extent necessary to
15 verify the information contained in the application, and the
16 application shall advise the applicant of this waiver.

17 ~~[D-]~~ E. A parking placard issued pursuant to this
18 section shall expire ~~[in no more than two years]~~ on the same
19 date that the holder's driver's license or identification card
20 expires.

21 ~~[E-]~~ F. The division shall issue two-sided
22 hanger-style parking placards with the following
23 characteristics:

24 (1) the international symbol of access shall be
25 displayed on both sides of the parking placard and shall be at

1 least three inches in height, centered on the parking placard
2 and white on a blue [~~shield~~] field;

3 (2) [~~an identification number enabling the~~
4 ~~division to identify~~] an indelible imprinting of the driver's
5 license or identification card number of the holder of each
6 parking placard. The division shall maintain this information
7 including permanence of the mobility impairment, in a readily
8 retrievable format in the same database as used for recording
9 driver's license information and make it available on demand to
10 any law enforcement agency or the governor's committee on
11 concerns of the handicapped;

12 (3) the date of expiration; and

13 (4) the division seal or other identification
14 of the issuing authority.

15 [~~F.~~] G. Upon written application to the division
16 accompanied by a medical statement from a licensed physician
17 attesting to a temporary disability, a person, whether resident
18 or nonresident, who has a temporary disability that limits or
19 impairs the ability to walk may be issued a temporary parking
20 placard, which shall be distinguishable in color and in
21 appearance from parking placards valid for [~~two~~] four years.
22 The medical statement shall include the period of time that the
23 physician determines the applicant will have the disability. A
24 temporary parking placard issued pursuant to this section shall
25 be valid no more than six months.

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1 ~~[G.]~~ H. For the purpose of obtaining a parking
2 placard, a person with a "disability that limits or impairs the
3 ability to walk" means the person:

4 (1) cannot walk one hundred feet without
5 stopping to rest;

6 (2) cannot walk without the use of a brace, a
7 cane, a crutch, another person, a prosthetic device, a
8 wheelchair or another assistive device;

9 (3) is restricted by lung disease to such an
10 extent that the person's forced respiratory volume, when
11 exhaling for one second, when measured by spirometry, is less
12 than one liter or the arterial oxygen tension is less than sixty
13 millimeters on room air at rest;

14 (4) uses portable oxygen;

15 (5) has a severe cardiac condition; or

16 (6) is so severely limited in his ability to
17 walk due to an arthritic, neurologic or orthopedic condition
18 that the person cannot ascend or descend more than ten stair
19 steps.

20 ~~[H.]~~ I. Special registration plates or parking
21 placards issued to the disabled person by another state or
22 foreign jurisdiction shall be granted reciprocity while the
23 vehicle ~~[and disabled operator are]~~ or parking placard holder is
24 in this state. ~~[for a period not to exceed thirty days]~~

25 ~~I.]~~ J. All parking placards shall be issued in

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1 accordance with this section beginning on July 1, ~~[1995]~~ 1997.
2 All placards issued prior to July 1, 1995 ~~[shall expire on July~~
3 ~~1, 1996]~~ are void. "

4 Section 10. Section 66-3-16.1 NMSA 1978 (being Laws 1995,
5 Chapter 129, Section 2) is amended to read:

6 "66-3-16.1. PROVIDING FALSE INFORMATION- ~~FALSE USE OF~~
7 ~~PLACARD-~~ ~~PENALTY-~~ PLACARD CONFISCATED. - -

8 A. Any person who provides false information in
9 order to acquire, or who assists an unqualified person in
10 acquiring, a special registration plate or ~~[special]~~ parking
11 placard as provided in Section 66-3-16 NMSA 1978 is guilty of a
12 misdemeanor and shall be sentenced pursuant to the provisions of
13 Section ~~[31-19-1]~~ 66-8-7 NMSA 1978.

14 B. A person who uses a parking placard to park in a
15 designated disabled parking space and is neither the holder of
16 the parking placard nor assisting in the transportation of the
17 holder is guilty of a misdemeanor and shall be sentenced
18 pursuant to the provisions of Section 66-8-7 NMSA 1978. When a
19 law enforcement officer finds that a person is using a parking
20 placard that does not belong to him or his passenger, the
21 officer may confiscate the placard. The law enforcement agency
22 shall return the parking placard to the division. The division
23 shall hold the parking placard until it receives a written
24 request for its return from the parking placard holder. The
25 division shall retain a record of the identification numbers of

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1 confiscated parking placards. Failure to surrender the parking
2 placard on demand of a law enforcement officer is a petty
3 misdemeanor and punishable by a fine not to exceed three hundred
4 dollars (\$300). "

5 Section 11. Section 66-5-408 NMSA 1978 (being Laws 1978,
6 Chapter 35, Section 335, as amended) is amended to read:

7 "66-5-408. FEES. --

8 A. Upon application for an identification card,
9 there shall be paid to the division a fee of five dollars
10 (\$5.00), but no fee shall be charged to an applicant for an
11 identification card if the applicant is at least seventy-five
12 years of age or eligible for a registration plate or parking
13 placard pursuant to Section 66-3-16 NMSA 1978

14 B. The department with the approval of the governor
15 may increase the amount of the identification card fee by an
16 amount not to exceed three dollars (\$3.00) for the purpose of
17 implementing an enhanced licensing system. The additional
18 amounts collected pursuant to this subsection are appropriated
19 to the division to defray the expense of the new system of
20 licensing. "

21 Section 12. Section 66-7-352.4 NMSA 1978 (being Laws 1983,
22 Chapter 45, Section 4) is amended to read:

23 "66-7-352.4. PARKING LOTS--STANDARDS. --

24 A. Every parking lot coming under the provisions of
25 the Disabled Parking Standards and Enforcement Act shall have

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1 designated disabled parking spaces, including access aisles, as
2 provided in Subsection B of this section [~~provided that an~~
3 ~~office of state or local government shall have a minimum of one~~
4 ~~such parking space~~]. No building permit shall be issued by the
5 state or any local government for the construction or
6 substantial renovation of a commercial building inviting public
7 access unless the parking lot has designated disabled parking
8 spaces as delineated in Subsection B of this section.

9 B. The minimum numbers of designated disabled
10 parking spaces are as follows:

11	TOTAL SPACES IN PARKING LOT	MINIMUM DESIGNATED 12 13 14 15 16 17 18 19 20 21 22 23 24 25
	0 to 14	0
	15] <u>1</u> to 25	1
	26 to 35	2
	36 to 50	3
	51 to 100	4
	101 to 300	8
	301 to 500	12
	501 to 800	16
	801 to 1,000	20
	more than 1,000	20, plus [3] <u>1</u> for each additional

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[1,000] 100.

The designated disabled parking spaces shall be located so as to provide the most convenient access to entranceways or to the nearest curb cut. One of every eight designated disabled parking spaces, but not less than one, shall be designated as van accessible."

Section 13. Section 66-7-352.5 NMSA 1978 (being Laws 1983, Chapter 45, Section 5, as amended) is amended to read:

"66-7-352.5. UNAUTHORIZED USE--PENALTY.--~~[A.]~~ It is unlawful for any person to park a motor vehicle not carrying special registration plates or a parking placard indicating disability in accordance with Section 66-3-16 NMSA 1978 in a designated disabled parking space ~~[or blocking a curb cut]~~. It is unlawful for any person to park a vehicle with or without a special registration plate or parking placard in a position that blocks a curb cut or access aisle. Any person who violates this subsection is subject to a ~~[fifty dollar (\$50.00)]~~ three hundred dollar (\$300) fine and the vehicle may be towed at the owner's expense.

~~[B. A person charged with a violation of Subsection A of this section shall not be determined to have committed an infraction if he produces in court special disabled registration plates or a placard indicating disability in accordance with Section 66-3-16 NMSA 1978 or demonstrates he was entitled to such at the time of the violation.]"~~

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**State of New Mexico
House of Representatives**

**FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997**

February 27, 1997

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7 Mr. Speaker:

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9 Your CONSUMER AND PUBLIC AFFAIRS COMMITTEE, to
10 whom has been referred

11
12 HOUSE BILLS 933, 31 & 557

13 has had them under consideration and reports same with
14 recommendation that they DO NOT PASS, but that

15
16 HOUSE CONSUMER AND PUBLIC AFFAIRS COMMITTEE
17 SUBSTITUTE FOR HOUSE BILLS 933, 31 & 557

18
19 DO PASS, and thence referred to the JUDICIARY
20 COMMITTEE.

FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

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Respectfully submitted,

Gary King, Chairman

Adopted _____ Not Adopted _____

(Chief Clerk)

(Chief Clerk)

Date _____

The roll call vote was 7 For 0 Against

Yes: 7

Excused: Rios, Sandel, Vigil

Absent: None

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Underscored material = new
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1 HOUSE CONSUMER AND PUBLIC AFFAIRS COMMITTEE SUBSTITUTE FOR
2 HOUSE BILLS 933, 31 & 557
3 43RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1997
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8 AN ACT
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10 RELATING TO PERSONS WITH DISABILITIES; CREATING A PLACARD ABUSE
11 PREVENTION PROGRAM; AUTHORIZING VOLUNTEER ENFORCEMENT PROGRAMS;
12 CHANGING CERTAIN PROVISIONS RELATED TO DESIGNATED DISABLED
13 PARKING; INCREASING THE PENALTY FOR PARKING IN A DESIGNATED
14 DISABLED PARKING SPACE ILLEGALLY; AMENDING AND ENACTING SECTIONS
15 OF THE NMSA 1978; MAKING AN APPROPRIATION.

16 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

17 Section 1. [NEW MATERIAL] SHORT TITLE.--Sections 1 through
18 4 of this act may be cited as the "Placard Act".

19 Section 2. [NEW MATERIAL] DEFINITION.--As used in the
20 Placard Act, "parking placard" means a display device issued by
21 the taxation and revenue department that indicates that the
22 driver or passenger of a motor vehicle has a severe mobility
23 impairment as defined in Subsection H of Section 66-3-16 NMSA
24 1978 that allows him to park in a designated disabled parking
25 space.

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Underscored material = new
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Section 3. [NEW MATERIAL] PROGRAM CREATED. -- The "placard abuse prevention program" is created in the governor's committee on concerns of the handicapped. The program shall:

1 A. monitor the system of eligibility and use of
2 parking placards to identify barriers to the goal of providing
3 safe and close parking for persons with severe mobility
4 impairments;

5 B. provide training and public awareness to address
6 the barriers to safe and close parking for persons with severe
7 mobility impairments;

8 C. pursue revocation of parking placards held by
9 persons who appear to be ineligible or permit misuse of their
10 parking placards;

11 D. contract with advocates for the rights of persons
12 with disabilities to conduct the activities described in
13 Subsections A through C of this section and to make
14 recommendations for improvements in governing statutes or
15 operating policies of entities involved with the parking placard
16 issuance and parking enforcement systems; and

17 E. provide technical assistance and training to law
18 enforcement agencies regarding implementation of a volunteer
19 enforcement program.

20 Section 4. [NEW MATERIAL] VOLUNTEER ENFORCEMENT PROGRAMS
21 AUTHORIZED. --

22 A. A law enforcement agency authorized to enforce
23 parking statutes or ordinances may appoint placard abuse
24 volunteers to issue citations for violations of Sections
25 66-3-16.1 and 66-7-352.5 NMSA 1978 and any local parking

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1 ordinances that make parking in a designated disabled parking space
2 illegal. Volunteers appointed pursuant to this subsection shall be
3 at least twenty-one years of age. The law enforcement agency
4 appointing the placard abuse prevention volunteers may establish
5 any other qualifications the agency deems necessary.

6 B. A law enforcement agency appointing placard abuse
7 volunteers pursuant to this section shall provide training to the
8 placard abuse prevention volunteers before authorizing them to
9 issue citations.

10 C. A citation issued by a placard abuse prevention
11 volunteer pursuant to this section shall have the same effect as a
12 citation issued by a police officer for the same offense.

13 Section 5. A new section of the Motor Vehicle Code is enacted
14 to read:

15 "[NEW MATERIAL] NURSING HOME PLACARDS--DEPOSITS--MISDEMEANOR
16 PENALTIES.--

17 A. Upon application to the division, accompanied by a
18 payment of two hundred fifty dollars (\$250), a nursing home
19 administrator as defined in Section 61-13-2 NMSA 1978 may be
20 granted one parking placard for each nursing home in this state
21 under his direct supervision for use in the transport of persons
22 with severe mobility impairments as defined in Subsection H of
23 Section 66-3-16 NMSA 1978 in situations where it is impractical for
24 the person being transported to obtain and use his own parking
25 placard.

1 B. Money received pursuant to Subsection A of this
2 section shall be deposited in the fund for the handicapped to be
3 used for the parking placard abuse prevention program.

4 C. A person who uses a nursing home administrator's
5 parking placard when not engaged in the transport of a person with
6 a severe mobility impairment or an administrator who willfully
7 allows such use of the parking placard is guilty of a misdemeanor
8 and shall be sentenced pursuant to the provisions of Section 66-8-7
9 NMSA 1978. "

10 Section 6. Section 3-51-46 NMSA 1978 (being Laws 1973,
11 Chapter 22, Section 3) is amended to read:

12 "3-51-46. PASSENGER MOTOR VEHICLE OF DISABLED PERSON--PARKING
13 PRIVILEGE. --Passenger motor vehicles owned by ~~[disabled]~~ persons
14 with severe mobility impairment and carrying special registration
15 plates or passenger motor vehicles carrying persons with severe
16 mobility impairment with parking placards issued pursuant to
17 Section ~~[64-3-12.3 NMSA 1953]~~ 66-3-16 NMSA 1978 shall be permitted
18 to park for unlimited periods of time in parking zones restricted
19 as to length of time parking is normally permitted and are exempt
20 from payment of any parking meter or parking authorization fee of
21 the state or its political subdivisions. The provisions of this
22 section shall prevail over any other law, regulation or local
23 ordinance but do not apply to zones where stopping, standing or
24 parking is prohibited, zones reserved for special types of
25 vehicles, zones where parking is prohibited during certain hours of

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1 the day in order to facilitate traffic during those hours when
2 parking is prohibited and zones subject to similar regulation
3 because parking presents a traffic hazard. "

4 Section 7. Section 66-1-4.1 NMSA 1978 (being Laws 1990,
5 Chapter 120, Section 2) is amended to read:

6 "66-1-4.1. DEFINITIONS. -- As used in the Motor Vehicle Code:

7 A. "abandoned vehicle" means a vehicle or motor vehicle
8 that has been determined by a New Mexico law enforcement agency:

9 (1) to have been left unattended on either public or
10 private property for at least thirty days;

11 (2) not to have been reported stolen;

12 (3) not to have been claimed by any person asserting
13 ownership; and

14 (4) not to have been shown by normal record checking
15 procedures to be owned by any person;

16 B. "access aisle" means an accessible pedestrian space of
17 at least sixty inches in width that allows side access the length
18 of its adjacent designated disabled parking space and marked with
19 blue striping; provided that van-accessible access aisles shall be
20 at least ninety-six inches in width;

21 [~~B.~~] C. "additional place of business", for dealers and
22 wreckers of vehicles, means locations in addition to an established
23 place of business as defined in Section 66-1-4.5 NMSA 1978 and
24 meeting all the requirements of an established place of business,
25 except Paragraph (5) of Subsection B of Section 66-1-4.5 NMSA 1978,

1 but "additional place of business" does not mean a location used
2 solely for storage and that is not used for wrecking, dismantling,
3 sale or resale of vehicles;

4 ~~[C.]~~ D. "alcoholic beverages" means any and all distilled
5 or rectified spirits, potable alcohol, brandy, whiskey, rum, gin,
6 aromatic bitters or any similar alcoholic beverage, including all
7 blended or fermented beverages, dilutions or mixtures of one or
8 more of the foregoing containing more than one-half of one percent
9 alcohol but excluding medicinal bitters; and

10 ~~[D.]~~ E. "authorized emergency vehicle" means any fire
11 department vehicle, police vehicle, ambulance and any emergency
12 vehicles of municipal departments or public utilities that are
13 designated or authorized as emergency vehicles by the director of
14 the New Mexico state police division of the department of public
15 safety or local authorities."

16 Section 8. Section 66-1-4.4 NMSA 1978 (being Laws 1990,
17 Chapter 120, Section 5, as amended) is amended to read:

18 "66-1-4.4. DEFINITIONS. --As used in the Motor Vehicle Code:

19 A. "day" means calendar day, unless otherwise provided in
20 the Motor Vehicle Code;

21 B. "dealer", except as herein specifically excluded,
22 means any person who sells or solicits or advertises the sale of
23 new or used motor vehicles, manufactured homes or trailers subject
24 to registration in this state; "dealer" does not include:

25 (1) receivers, trustees, administrators, executors,

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1 guardians or other persons appointed by or acting under judgment,
2 decree or order of any court;

3 (2) public officers while performing their duties as
4 such officers;

5 (3) persons making casual sales of their own
6 vehicles;

7 (4) finance companies, banks and other lending
8 institutions making sales of repossessed vehicles; or

9 (5) licensed brokers under the Manufactured Housing
10 Act who, for a fee, commission or other valuable consideration,
11 engage in brokerage activities related to the sale, exchange or
12 lease purchase of pre-owned manufactured homes on a site installed
13 for a consumer;

14 C. "declared gross weight" means the maximum gross
15 vehicle weight or combination gross vehicle weight at which a
16 vehicle or combination will be operated during the registration
17 period, as declared by the registrant for registration and fee
18 purposes; the vehicle or combination shall have only one declared
19 gross weight for all operating considerations;

20 D. "department" means the taxation and revenue
21 department, the secretary of taxation and revenue or any employee
22 of the department exercising authority lawfully delegated to that
23 employee by the secretary;

24 E. "designated disabled parking space" means any space
25 marked and reserved for the parking of a passenger vehicle that

1 carries registration plates or a placard indicating disability in
2 accordance with Section 66-3-16 NMSA 1978; such a place shall be
3 designated by a conspicuously posted sign bearing the international
4 disabled symbol of a wheelchair ~~[øø]~~ and by a clearly visible
5 depiction of this symbol painted on the pavement of the space, and
6 an access aisle adjacent to the space; provided that two designated
7 disabled parking spaces may share a common access aisle

8 F. "director" means the secretary;

9 G. "disqualification" means a prohibition against driving
10 a commercial motor vehicle;

11 H. "distinguishing number" means the number assigned by
12 the department to a vehicle whose identifying number has been
13 destroyed or obliterated or the number assigned by the department
14 to a vehicle that has never had an identifying number;

15 I. "distributor" means any person who distributes or
16 sells new or used motor vehicles to dealers and who is not a
17 manufacturer;

18 J. "division", without further specification, "division
19 of motor vehicles" or "motor vehicle division" means the
20 department;

21 K. "driver" means every person who drives or is in actual
22 physical control of a motor vehicle, including a motorcycle, upon a
23 highway, who is exercising control over or steering a vehicle being
24 towed by a motor vehicle or who operates or is in actual physical
25 control of an off-highway motor vehicle;

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1 L. "driver's license" means a license or a class of
2 license issued by a state or other jurisdiction to an individual
3 that authorizes the individual to drive a motor vehicle; and

4 M. "driveaway-towaway operation" means any operation in
5 which any motor vehicle, new or used, is the item being transported
6 when one set or more of wheels of any such motor vehicle is on the
7 roadway during the course of transportation, whether or not the
8 motor vehicle furnishes the motive power. "

9 Section 9. Section 66-1-4.14 NMSA 1978 (being Laws 1990,
10 Chapter 120, Section 15, as amended) is amended to read:

11 "66-1-4.14. DEFINITIONS. -- As used in the Motor Vehicle Code:

12 A. "park" or "parking" means the standing of a vehicle,
13 whether occupied or not, other than temporarily for the purpose of
14 and while actually engaged in loading and unloading;

15 B. "parking lot" means a parking area [~~containing fifteen~~
16 ~~or more parking spaces~~] provided for the [free] use of patrons of
17 any office of state or local government or of any public
18 accommodation, retail or commercial establishment;

19 C. "parts car" means a motor vehicle generally in
20 nonoperable condition that is owned by a collector to furnish parts
21 that are usually nonobtainable from normal sources, thus enabling a
22 collector to preserve, restore and maintain a motor vehicle of
23 historic or special interest;

24 D. "pedestrian" means any natural person on foot;

25 E. "person" means every natural person, firm,

1 copartnership, association, corporation or other legal entity;

2 F. "personal information" means information that
3 identifies an individual, including an individual's photograph,
4 social security number, driver identification number, name, address
5 other than zip code, telephone number and medical or disability
6 information, but "personal information" does not include
7 information on vehicles, vehicle ownership, vehicular accidents,
8 driving violations or driver status;

9 G. "pneumatic tire" means every tire in which compressed
10 air is designed to support the load;

11 H. "pole trailer" means any vehicle without motive power,
12 designed to be drawn by another vehicle and attached to the towing
13 vehicle by means of a reach or pole or by being boomed or otherwise
14 secured to the towing vehicle and ordinarily used for transporting
15 long or irregularly shaped loads such as poles, structures, pipes
16 and structural members capable, generally, of sustaining themselves
17 as beams between the supporting connections;

18 I. "police or peace officer" means every officer
19 authorized to direct or regulate traffic or to make arrests for
20 violations of the Motor Vehicle Code;

21 J. "private road or driveway" means every way or place in
22 private ownership used for vehicular travel by the owner and those
23 having express or implied permission from the owner, but not other
24 persons; and

25 K. "property owner" means the owner of a piece of land or

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1 the agent of that property owner. "

2 Section 10. Section 66-3-16 NMSA 1978 (being Laws 1978,
3 Chapter 35, Section 36, as amended) is amended to read:

4 "66-3-16. SPECIAL REGISTRATION PLATES--DISABLED
5 PERSONS-- [~~DISPLAY DEVICE~~] PARKING PLACARDS. --

6 A. The division shall issue distinctive registration
7 plates to any [~~disabled~~] person with severe mobility impairment who
8 so requests and who proves satisfactorily to the division that he
9 has suffered the loss, or the complete and total loss of use of,
10 one or both legs at or above the ankle or of one or both arms at or
11 above the wrist for use on motor vehicles owned by the person. No
12 fee in addition to the regular registration fee, if any, applicable
13 to the motor vehicle shall be collected for issuance of special
14 registration plates pursuant to this section.

15 B. No person shall falsely represent himself to ~~be~~
16 [~~disabled~~] have a severe mobility impairment so as to be eligible to
17 be issued special registration plates or [~~display devices~~] a
18 parking placard pursuant to this section when he is in fact not
19 [~~disabled~~] severely mobility impaired

20 C. Upon notice and opportunity to be heard, scheduled
21 within forty-five days of a complaint filed by the governor's
22 committee on concerns of the handicapped or another concerned
23 person, the division may revoke and demand return of any placard
24 when it is found that:

25 (1) it was issued in error or with false

1 information;

2 (2) the person receiving the placard is no longer
3 eligible; or

4 (3) the placard is being used by ineligible persons.

5 [~~C.~~] D. Upon written application to the division
6 accompanied by a medical statement by a licensed physician
7 attesting to the [~~disability~~] severe mobility impairment, a
8 resident of the state who has a [~~disability~~] severe mobility
9 impairment that limits or impairs the ability to walk, as provided
10 in Subsection [~~G~~] H of this section, may apply for and be granted
11 the issuance of [~~a placard~~] not more than two parking placards for
12 display upon a motor vehicle registered to him or motor vehicle
13 owned by another person who is transporting him. The director may
14 charge a reasonable fee to cover the cost of the placard and of its
15 issuance. The fee shall be retained by the division and shall be
16 appropriated to the division for expenditures incurred in the
17 implementation of the placard replacement program. The application
18 shall provide for a certification of permanence of the mobility
19 impairment that, if indicated by the signing physician, shall
20 preclude the necessity of subsequent medical certifications on
21 renewals. The application for a parking placard shall be deemed to
22 be a waiver of the doctor-patient privilege of confidentiality to
23 the minimum extent necessary to verify the information contained in
24 the application, and the application shall advise the applicant of
25 this waiver.

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1 ~~[D.]~~ E. A parking placard issued pursuant to this section
2 shall expire ~~[in no more than two years]~~ on the same date that the
3 holder's driver's license or identification card expires

4 ~~[E.]~~ F. The division shall issue two-sided hanger-style
5 parking placards with the following characteristics:

6 (1) the international symbol of access shall be
7 displayed on both sides of the parking placard and shall be at
8 least three inches in height, centered on the parking placard and
9 white on a blue ~~[shield]~~ field;

10 (2) ~~[an identification number enabling the division~~
11 ~~to identify]~~ an indelible imprinting of the driver's license or
12 identification card number of the holder of each parking placard.
13 The division shall maintain this information, including permanence
14 of the mobility impairment, in a readily retrievable format in the
15 same data base as used for recording driver's license information
16 and make it available on demand to any law enforcement agency or
17 the governor's committee on concerns of the handicapped

18 (3) the date of expiration; and

19 (4) the division seal or other identification of the
20 issuing authority.

21 ~~[F.]~~ G. Upon written application to the division
22 accompanied by a medical statement from a licensed physician
23 attesting to a temporary ~~[disability]~~ severe mobility impairment, a
24 person, whether resident or nonresident, who has a temporary
25 ~~[disability]~~ severe mobility impairment that limits or impairs the

1 ability to walk may be issued a temporary parking placard, which
 2 shall be distinguishable in color and in appearance from parking
 3 placards valid for [~~two~~] four years. The medical statement shall
 4 include the period of time that the physician determines the
 5 applicant will have the [~~disability~~] severe mobility impairment. A
 6 temporary parking placard issued pursuant to this section shall be
 7 valid no more than six months.

8 [~~G-~~] H. For the purpose of obtaining a parking placard,
 9 a person with a [~~"disability that limits or impairs the ability to~~
 10 ~~walk"~~] "severe mobility impairment" means the person:

11 (1) cannot walk one hundred feet without stopping to
 12 rest;

13 (2) cannot walk without the use of a brace, a cane,
 14 a crutch, another person, a prosthetic device, a wheelchair or
 15 another assistive device;

16 (3) is restricted by lung disease to such an extent
 17 that the person's forced respiratory volume, when exhaling for one
 18 second, when measured by spirometry, is less than one liter or the
 19 arterial oxygen tension is less than sixty millimeters on room air
 20 at rest;

21 (4) uses portable oxygen;

22 (5) has a severe cardiac condition; or

23 (6) is so severely limited in his ability to walk
 24 due to an arthritic, neurologic or orthopedic condition that the
 25 person cannot ascend or descend more than ten stair steps.

1 ~~[H.]~~ I. Special registration plates or parking placards
2 issued to the ~~[disabled]~~ person with severe mobility impairment by
3 another state or foreign jurisdiction shall be granted reciprocity
4 while the vehicle ~~[and disabled operator are]~~ or parking placard
5 holder is in this state. ~~[for a period not to exceed thirty days~~

6 ~~I.]~~ J. All parking placards shall be issued in accordance
7 with this section beginning on July 1, ~~[1995]~~ 1997. All placards
8 issued prior to July 1, 1995 ~~[shall expire on July 1, 1996]~~ are
9 void. Two-year placards issued between July 1, 1995 and July 1,
10 1997 shall be renewed for a period to expire on the same date as
11 the holder's driver's license expires."

12 Section 11. Section 66-3-16.1 NMSA 1978 (being Laws 1995,
13 Chapter 129, Section 2) is amended to read:

14 "66-3-16.1. PROVIDING FALSE INFORMATION- -FALSE USE OF
15 PLACARD- -PENALTY- -PLACARD CONFISCATED. - -

16 A. Any person who provides false information in order to
17 acquire, or who assists an unqualified person in acquiring, a
18 special registration plate or ~~[special]~~ parking placard as provided
19 in Section 66-3-16 NMSA 1978 is guilty of a misdemeanor and shall
20 be sentenced pursuant to the provisions of Section ~~[31-19-1]~~ 66-8-7
21 NMSA 1978.

22 B. Except as provided in Section 5 of this act, a person
23 who uses a parking placard to park in a designated disabled parking
24 space and is neither the holder of the parking placard nor
25 assisting in the transportation of the holder is guilty of a

1 misdeemeanor and shall be sentenced pursuant to the provisions of
2 Section 66-8-7 NMSA 1978. When a law enforcement officer finds
3 that a person is using a parking placard that does not belong to
4 him or his passenger, the officer may confiscate the placard. The
5 law enforcement agency shall return the parking placard to the
6 division. The division shall hold the parking placard until it
7 receives a written request for its return from the parking placard
8 holder. The division shall retain a record of the identification
9 numbers of confiscated parking placards. Failure to surrender the
10 parking placard on demand of a law enforcement officer is a petty
11 misdeemeanor and punishable by a fine not to exceed three hundred
12 dollars (\$300)."

13 Section 12. Section 66-5-408 NMSA 1978 (being Laws 1978,
14 Chapter 35, Section 335, as amended) is amended to read:

15 "66-5-408. FEES. --

16 A. Upon application for an identification card, there
17 shall be paid to the division a fee of five dollars (\$5.00), but no
18 fee shall be charged to an applicant for an identification card if
19 the applicant is at least seventy-five years of age or eligible for
20 a registration plate or parking placard pursuant to Section 66-3-16
21 NMSA 1978.

22 B. The department with the approval of the governor may
23 increase the amount of the identification card fee by an amount not
24 to exceed three dollars (\$3.00) for the purpose of implementing an
25 enhanced licensing system. The additional amounts collected

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1 pursuant to this subsection are appropriated to the division to
2 defray the expense of the new system of licensing. "

3 Section 13. Section 66-7-352.4 NMSA 1978 (being Laws 1983,
4 Chapter 45, Section 4) is amended to read:

5 "66-7-352.4. PARKING LOTS--STANDARDS. --

6 A. Every parking lot coming under the provisions of the
7 Disabled Parking Standards and Enforcement Act shall have
8 designated disabled parking spaces, including access aisles, as
9 provided in Subsection B of this section [~~provided that an office~~
10 ~~of state or local government shall have a minimum of one such~~
11 ~~parking space~~]. No building permit shall be issued by the state or
12 any local government for the construction or substantial renovation
13 of a commercial building inviting public access unless the parking
14 lot has designated disabled parking spaces as delineated in
15 Subsection B of this section.

16 B. The minimum numbers of designated disabled parking
17 spaces are as follows:

TOTAL SPACES IN PARKING LOT	MINIMUM DESIGNATED
DISABLED	PARKING SPACES
0 to 14	0
15] <u>1</u> to 25	1
26 to 35	2
36 to 50	3

Underscored material = new
[bracketed material] = delete

1	51 to 100	4
2	101 to 300	8
3	301 to 500	12
4	501 to 800	16
5	801 to 1,000	20
6	more than 1,000	20, plus [3] <u>1</u>
7		for each
8		additional
9		[1,000] <u>100</u> .

10 The designated disabled parking spaces shall be located so as to
 11 provide the most convenient access to entranceways or to the
 12 nearest curb cut. One of every eight designated disabled parking
 13 spaces, but not less than one, shall be designated as van
 14 accessible."

15 Section 14. Section 66-7-352.5 NMSA 1978 (being Laws 1983,
 16 Chapter 45, Section 5, as amended) is amended to read:

17 "66-7-352.5. UNAUTHORIZED USE--PENALTY.--~~[A-]~~ It is unlawful
 18 for any person to park a motor vehicle not carrying special
 19 registration plates or a parking placard indicating [disability]
 20 severe mobility impairment in accordance with Section 66-3-16 NMSA
 21 1978 in a designated disabled parking space ~~[or blocking a curb~~
 22 ~~cut]. It is unlawful for any person to park a vehicle with or~~
 23 without a special registration plate or parking placard in a
 24 position that blocks a curb cut or access aisle. Any person who
 25 violates this subsection is subject to a ~~[fifty-dollar (\$50.00)]~~

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1 minimum three hundred dollar (\$300) fine and the vehicle may be
2 towed at the owner's expense.

3 ~~[B. A person charged with a violation of Subsection A of~~
4 ~~this section shall not be determined to have committed an~~
5 ~~infraction if he produces in court special disabled registration~~
6 ~~plates or a placard indicating disability in accordance with~~
7 ~~Section 66-3-16 NMSA 1978 or demonstrates he was entitled to such~~
8 ~~at the time of the violation.]"~~

9 Section 15. APPROPRIATION. -- Twenty-five thousand dollars
10 (\$25,000) is appropriated from the general fund to the governor's
11 committee on concerns of the handicapped for expenditure in fiscal
12 year 1998 to implement the provisions of the Placard Abuse Act.
13 Any unexpended or unencumbered balance remaining at the end of
14 fiscal year 1998 shall revert to the general fund.

15 Section 16. EFFECTIVE DATE. -- The effective date of the
16 provisions of this act is July 1, 1997.

State of New Mexico House of Representatives

FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

March 12, 1997

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7 Mr. Speaker:

8
9 Your JUDICIARY COMMITTEE, to whom has been referred

10
11 HOUSE CONSUMER AND PUBLIC AFFAIRS COMMITTEE
12 SUBSTITUTE FOR HOUSE BILLS 933, 31 & 557

13 has had it under consideration and reports same with
14 recommendation that it DO PASS, amended as follows:

15
16 1. On page 3, line 20, strike "NURSING HOME" and insert "LONG-
17 TERM CARE FACILITY".

18
19 2. On page 3, line 23, strike "a nursing home".

20
21 3. On page 3, line 24, before "administrator" insert "an" and
22 after "administrator" strike the line through "1978" and insert "of a
23 long-term care facility licensed by the department of health".

24 4. On page 3, line 25, strike "nursing home" and insert in lieu
25 thereof "facility".

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FORTY- THIRD LEGISLATURE
HCPAC/HB 933, 31 & 571 FIRST SESSION, 1997

HJC/HB 933, 31 & 557

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5. On page 4, line 9, strike "nursing home" and insert in lieu thereof "long-term care facility"., and thence referred to the APPROPRIATIONS AND FINANCE COMMITTEE.

Respectfully submitted,

Thomas P. Foy, Chairman

Adopted _____ Not Adopted _____

(Chief Clerk)

(Chief Clerk)

Date _____

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FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

HJC/HB 933, 31 & 557

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The roll call vote was 7 For 0 Against

Yes: 7

Excused: M. P. Garcia, Mallory, Pederson, Rios, Sanchez, Stewart

Absent: None

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State of New Mexico House of Representatives

FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

March 14, 1997

Mr. Speaker:

Your APPROPRIATIONS AND FINANCE COMMITTEE, to whom
has been referred

HOUSE CONSUMER AND PUBLIC AFFAIRS COMMITTEE
SUBSTITUTE FOR HOUSE BILLS 933, 31 & 557, as amended

has had it under consideration and reports same with
recommendation that it DO PASS, amended as follows:

1. On page 1, line 16, strike "; MAKING AN APPROPRIATION".
2. On page 19, strike Section 15 in its entirety.
3. Renumber succeeding section accordingly.

FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

HAF C/HB 933

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Respectfully submitted,

Max Coll, Chairman

Adopted _____ Not Adopted _____

(Chief Clerk)

(Chief Clerk)

Date _____

The roll call vote was 15 For 0 Against

Yes: 15

Excused: Bird, Salazar

Absent: None

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HCPAC/HB 933, 31 & 557

FORTY-THIRD LEGISLATURE
FIRST SESSION

March 16, 1997

HOUSE FLOOR AMENDMENT number 1 to

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FORTY-THIRD LEGISLATURE
FIRST SESSION

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HB 993, 31 & 557, aa

Page 47

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Amendment sponsored by Representative Gary K. King

1. On page 18, line 19, strike the ending quotation mark and between lines 19 and 20, insert the following new subsection:

"C. In parking lots with five or fewer parking spaces, one accessible parking space shall be provided but need not be designated by sign and pavement painting. Use of the undesignated accessible parking space by a vehicle without a parking placard or special registration plate shall not be a violation of Section 66-7-352.5 NMSA 1978.".

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1 FORTY-THIRD LEGISLATURE
HCPAC/HB 933, 31 & 557 FIRST SESSION

2 HB 993, 31 & 557, aa

Page 48

6 _____
7 Gary K. King

10 Adopted _____ Not Adopted _____
11 (Chief Clerk) (Chief Clerk)

14 Date _____

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FORTY-THIRD LEGISLATURE
FIRST SESSION

HB 993, 31 & 557, aa

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FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

March 18, 1997

Mr. President:

Your PUBLIC AFFAIRS COMMITTEE, to whom has been referred

HOUSE CONSUMER AND PUBLIC AFFAIRS COMMITTEE

SUBSTITUTE FOR HOUSE BILLS 933, 31 & 557, as amended

has had it under consideration and reports same with recommendation that
it DO PASS, and thence referred to the JUDICIARY COMMITTEE.

Respectfully submitted,

Shannon Robinson, Chairman

Adopted _____

Not Adopted _____

(Chief Clerk)

(Chief Clerk)

Underscored material = new
[bracketed material] = delete

FORTY-THIRD LEGISLATURE
HCPAC/HB 933, 31 & 557 FIRST SESSION

1 HB 933, 31 & 557, aa

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Date _____

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The roll call vote was 6 For 0 Against

6

Yes: 6

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No: 0

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Excused: Adair, Boitano, Vernon

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Absent: None

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H0933PA1

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